



DEPARTMENT OF THE ARMY
HEADQUARTERS, AREA II SUPPORT ACTIVITY
UNIT #15333
APO AP 96205-5333

REPLY TO
ATTENTION OF:

IMKO-AB-PL-LO

24 August 2005

COMMAND POLICY # 5-14

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Moped Decal (Under 50cc) Program

1. **REFERENCES.** See appendixes A and B

2. **PURPOSE.** This policy establishes an Area II wide moped (under 50cc) policy for all installations. This policy is also intended to improve the availability of parking slots for authorized residents and to provide a clear traffic flow throughout Yongsan South Post or Hannam Village family housing, BOQ/BEQ or barracks for emergency vehicles, buses, privately owned vehicles, motorcycles, and mopeds.

3. **APPLICABILITY.** This policy applies to all personnel authorized to operate motor vehicles on Area II Installations.

NOTE: Mopeds are two-wheeled motorized vehicles with an engine size of 49 cubic centimeters and below. Mopeds (under 50cc), by Korean law are not required to display license plates. However, all mopeds operated on Area II installations will display a moped decal (Appendix B), and all rules regarding the operation of motorcycles will apply to mopeds.

4. **RESPONSIBILITIES.**

a. Commanders will ensure USFK Military personnel, the civilian components and family members comply with this command policy.

b. Area II PMO enforces the provisions of this Command Policy, AR 190-5 and USFK Reg. 190-1 through the use of DD Form 1408 (Armed Forces Traffic Ticket) and/or other appropriate measures.

c. Operators of motor vehicles on Area II Installations will be knowledgeable and obey the provisions of this Command Policy.

d. Area II Law and Order Officer -

(1) Is the designated representative of the Area II Commander and has supervisory responsibility over the Area II Moped Decal Program.

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(2) Is the Area II POC for this command policy.

e. Deputy Garrison Commander -

(1) Is the designated representative of the Area II Commander and acts as the approval authority for requests made to the Area II Commander IAW this Command Policy, USFK Reg. 190-1 or USFK Reg. 190-7.

f. Area II PMO -

(1) Has no approval/disapproval authority.

(2) Issue Moped Decal, appropriate installation, day of week and expiration date decals after an application is approved.

(3) Ensure gate guards control installation access through enforcement of the provisions of Area II Command Policies, USFK Reg. 190-1 and USFK Reg. 190-7.

(4) Provide a monthly report, on the number of Moped Decals to the Area II Law and Order Officer.

5. **ABBREVIATIONS AND TERMS.** Abbreviations and special terms used in this Command Policy are explained in the glossary.

6. **POLICY.** See AR 190-5/OPNAV 11200.5C/AFR 125-14/MCO 5110.1C/DLAR 5720.1, paragraph 1-5, USFK 190-1, USFK 190-7.

7. **PUNITIVE PROVISIONS.** Violations of any portion of this policy are subject to punitive actions under Article 92 and/or other applicable articles, Uniform Code of Military Justice (UCMJ). Violators are also subject to administrative action or withdrawal of privileges covered under USFK Reg. 190-1.

8. **POLICY AND PROCEDURES.**

a. Operating a motor vehicle, including mopeds, in the ROK is a conditional privilege granted by the ROK; the Commander, USFK; and Area II Commander. Persons desiring this privilege must meet the requirements set forth in USFK Reg. 190-1, Sec II, para (7) and (8). A learner's permit will not authorize operation of a motorcycle/moped. Mopeds under 50cc will park around bicycle racks provided adjacent to the buildings. Mopeds will be properly secured at all times.

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b. The Moped Decal (under 50cc) is the only authorized vehicle registration access media for mopeds under 50cc in Area II. The moped decal will be used to register mopeds.

c. Personnel who desire to operate a motorcycle/moped must pass written and skill tests administered by a U.S. driver testing facility. Personnel who operate mopeds (regardless of engine size) on a public street or highway must be licensed. When registering a motorcycle/moped, the USFK operator's permit will reflect authorization to operate a motorcycle/moped.

d. The Area II Commander is solely responsible for approving moped decal requests.

e. The moped decal remains U.S. Government property and may be recalled or revoked at the discretion of the Area II Commander.

f. The moped decal will be permanently affixed by Area II Vehicle Registration Office (VRO)/Pass & ID personnel to the moped with its own adhesive and only displayed as indicated below:

(1) Attach to the lower left-hand corner of the moped front.

(2) Expiration date decal will be affixed to the left side of the moped decal.

(3) Mopeds with expired date tabs will be denied access and the decals will be confiscated.

g. Moped Decals not physically attached (such as laminated and taped to the moped) will be confiscated.

h. Mopeds in the ROK that are owned or possessed by persons subject to this policy will be registered with the Area II VRO/Pass & ID Office within 10 days after they are received from port or POV pick up point, purchased, or otherwise legally acquired.

i. The import document issued at the port of entry, the bill of sale, or the release document from the Defense Reutilization and Marketing Office serves as the authority to drive the moped to the U.S. military installation, provided the moped is properly insured.

j. All mopeds will be registered under the sponsor's name, even if another member of the household legally owns the moped. The sponsor may register a moped without a driver's license provided a member of the household has a driver's license who is licensed IAW USFK Reg. 190-1.

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9. **DECAL ISSUING AGENCY.** Only the Area II VRO/Pass & ID Office may issue decal media.

10. **DECAL ACCOUNTABILITY.**

a. Moped decals and safety decals are serial numbered and accountable. The accountability procedures outlined in USFK Reg. 190-7 will be adhered to.

b. Only personnel from the Area II VRO/Pass And ID office will apply moped decals to the moped. MPs will remove moped decals upon expiration of the decal or at the owner's request (e.g., sale of a vehicle etc.). Mopeds found on the installation or attempting to enter the installation with an expired decal will be stopped, and the moped decal removed by MPs or access control personnel. Access will be denied pending a revalidated authorization. Moped Decal residue will be returned to the Area II VRO/Pass and ID office.

11. **SAFETY INSPECTION.**

a. All mopeds will undergo a safety inspection per this policy, normally done by AAFES-K, before registration. The mopeds will be inspected each time the moped is re-registered. Mopeds not complying with USFK Reg. 190-1 will not be registered or issued a USFK Safety Inspection Decal until necessary repairs are made. If a controversy develops about minor deviations, the owner has the right to appeal inspection findings as outlined in USFK Reg. 190-1 paragraph 16.

b. The Area II VRO/Pass & ID Office are responsible for affixing a USFK Safety Inspection Decal to the vehicle, provided the vehicle owner presents a valid safety inspection certificate. When a moped is sold to another authorized individual, the buyer must secure a new safety inspection before reregistering the moped.

12. **DECAL ISSUE PROCEDURES.**

a. Only one moped per family is authorized to be registered. The following documents will be required:

(1) A copy of a valid insurance policy, IAW USFK Reg. 190-1.

(2) A valid USFK Form 134EK, USFK Motor Vehicle Operator's Permit, per USFK Reg. 190-1. The USFK Motor Vehicle Operator's Permit will reflect the applicant is qualified to operate a motorcycle/moped.

(3) A copy of the current safety inspection certificate.

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(4) A valid DoD Identification Card in the name of the applicant, (except personnel possessing DoD identification). Moped decals will not be issued to personnel whose 37EK expires within 30 days.

(5) The Safety Decal will expire one year from the date of issue and reflects the month and year of expiration. Moped decals will not be issued to personnel if any of these documents are going to expire within the next 30 days.

13. REGISTRATION/DEREGISTRATION.

- a. All mopeds will be registered and deregistered per this policy.

14. SPECIAL RULES FOR MOPEDS.

a. Moped operators are granted rights and are subject to the duties applicable to the driver of any other vehicle. Special provisions of USFK Reg. 190-1 paragraph D-18 which, by their nature, can have no application do not apply. All provisions of this paragraph apply equally to moped operators.

15. SCOPE AND EFFECT OF MOPED EQUIPMENT PROVISIONS.

a. It is unlawful to own, drive, or cause to be driven, any moped that is unsafe. (USFK Reg 190-1 Sec III, paragraph 14, outlines vehicle safety inspections).

b. Moped safety standards established in USFK Reg. 190-1 do not prohibit the use of additional parts and accessories that do not conflict with the provisions of the regulation.

c. The provisions of USFK Reg. 190-1 with respect to equipment required on vehicles do not apply to mopeds that are never operated on public streets or highways except where special provisions are established.

16. EQUIPMENT FOR MOPEDS OPERATED ON PUBLIC STREETS OR HIGHWAYS.

a. Mopeds under 50cc will be equipped to comply with the requirements and limitations of USFK Reg. 190-1 paragraphs 19, 21, 22, 23, 24, and 37(4).

17. **TRAFFIC LAWS:** Operators/owners of mopeds bearing a moped under 50cc registration decal will operate their moped IAW USFK Regulations and Korean traffic laws while on an Area II installation. Sponsors are required to brief operators that it is a privilege to operate a moped on an Area II installation. Repeated or serious violations will result in revocation of privileges.

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8. **ADMINISTRATIVE SANCTIONS.** Individuals who violate provisions of this Command Policy are subject to administrative disciplinary sanctions, including the denial or limitation of access to areas/installations IAW USFK Reg. 190-7.

a. Violators will be issued a DD Form 1408 (Armed Forces Traffic Ticket) by the Military Police and assessed points for each traffic offense against their driving record by the Area II Support Activity Law & Order Office.

b. Drivers who accumulate more than 2 violations in a 60 day period may have their Driving and Vehicle Registration privileges suspended for 6 months. The moped owner will be issued a memorandum providing a warning of proposed suspension of Driving and Vehicle Registration privileges ("Warning Letter") from the Area II Law & Order Office.

c. After accumulating 3 or more violations in a 180 day period, the vehicle owner will be issued a memorandum providing a notice of proposed suspension of Driving and Vehicle Registration privileges ("Show Cause") from the Area II Law & Order Office.

d. After the accumulation of 12 traffic points within 12 consecutive months or 18 traffic points within 24 consecutive months, including points assessed for parking violations, the vehicle owner will be issued a memorandum providing a notice of proposed suspension of Driving and Vehicle Registration privileges ("Show Cause") from the Area II Law & Order Office. Points assessed against an individual will remain in effect for point accumulation for a consecutive 24-month period or until transfer/separation from the service.

e. The commander or supervisor of the violator will forward a Report of Action to the office of record (The Yongsan Military Police Traffic Investigations Division), where the action will be entered on the individual's Driving Record. The Yongsan Military Police Traffic Investigations Division will be notified of the action taken within 30 days, including the date on which the traffic ticket was issued.

f. The Area II Law & Order Office is located in room 105, building 4305 (HQ, Area II Support Activity) and may be contacted via: HQ, Area II Support Activity, Law & Order Office, Unit #15333, APO AP 96205-5333, DSN 738-4361/4414, FAX 738-5286.

g. The Military Police Traffic Investigations Division is located in building 1387 and may be contacted via: 94th MP BN, PMO/TAI, APO AP 96205-0709, DSN 724-4275.

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h. Traffic tickets issued to persons will be forwarded as shown in the below table.

<u>Processing of traffic violations</u>	
<u>Tickets issued to:</u>	<u>Will be forwarded to:</u>
USFK military and family members	Sponsor's unit Commander
DOD employees of USFK or their family members	Immediate supervisor
JUSMAG-K personnel or their family members	Chief, JUSMAG-K
KATUSA personnel	U.S. unit commander
Technical representatives and invited contractor personnel or their family members	USFK sponsor
UNC personnel, other than USFK and DOD civilians, or their family members	UNC Liaison Officer, Secretary Combined Headquarters UNC Regional Security family officer
U.S. Embassy employees and their members	U.S. Embassy, Seoul
Employees of AAFES-K and their family members	AAFES-K General Manager

19. **EXCEPTIONS TO POLICY.**

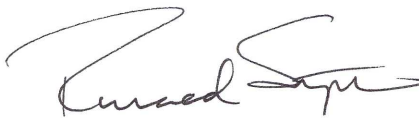
a. Personnel requesting an exception to policy concerning this Command Policy must forward their request to the Area II Law and Order Office, APO AP 96205.

b. Exceptions concerning this Command Policy previously approved before this current Command Policy takes affect will no longer be authorized or approved. Exceptions to policy that are approved after this Command Policy takes affect, will be authorized or approved for a one year period, unless specifically stated in writing by the Deputy Garrison Commander, Area II.

c. Personnel requesting an exception to policy concerning any chapter, section or paragraph in USFK regulation 190-1 or 190-7 must submit their request:

Commander, Area II Support Activity, ATTN: Law and Order Office, Unit #15333, APO AP 96205-5333

Distribution: A


RONALD C. STEPHENS
COL, SC
Commanding

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APPENDIX A

REFERENCES

Section I. Required Publications

USFK Reg 190-1 (Motor Vehicle Traffic Supervision).
USFK Reg 190-7 (Installation Access Control System).
USFK Reg 190-50 (Law Enforcement Procedures in Korea).
U.S./ROK Status of Forces Agreement (SOFA).
Memorandum: Morale, Welfare, and Recreation, dtd: March 1994, (Membership in USFK Military Clubs).

Section II. Related Publications

AR 190-5/
AFI 125-14/
OPNAVINST 11200.5C (Motor Vehicle Traffic Supervision)
AR 210-10 (Administration)
AR 215-1 (Morale, Welfare and Recreation Activities and Non-appropriated Fund Instrumentalities)
AR 600-20 (Army Command Policy)
USFK Reg 525-13 (USFK Force Protection Program)
USFK Reg 690-1 (Regulations and Procedures-Korean Nationals)

Section III. REQUIRED FORMS

UNC Form 4 (United Nations Command Identification Card)
USFK Form 37EK (USFK Installation Pass)

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USFK Form 82 (Application for Temporary/Permanent Post Pass)

USFK Form 195 (Application for DoD Vehicle Registration Decal)

USFK Form 196 (Justification for Issuance of USFK Access Media)

USFK Form 225EK (Personal Background Statement)

USFK Safety Decal

Area II Moped Decal (Sample Enclosed)

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APPENDIX B

